

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re a	application of:	Art Unit: 1746		
YAMA	SHITA, et al.	Examiner: Not Assigned		
Serial	No: 10/789,932	I hereby certify that this correspondence		
Filed:	February 27, 2004	is being deposited with the United States Postal Service with sufficient postage as		
For:	FUEL CELL	first class mail in an envelope addressed to:		
		Commissioner for Patents P.O. Box 1450		
	<u>ISMITTAL OF</u> RMATION DISCLOSURE STATEMENT	Alexandria, VA 22313-1450, on July 8, 2004		
INFO.	RMATION DISCLOSURE STATEMENT	Date of Deposit Shindale Ferguson		
	ssioner for Patents ox 1450	Nathe		
	dria, VA 22313-1450	Signature Date		
Dear S	irs:			
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	period specified in §1.97(b), but <i>before</i> the mail §1.113, or a notice of allowance under §1.311, or prosecution in the application, whichever occur §1.97(e) or a fee set forth in §1.17(p) is included	r an action that otherwise closes rs first. A statement specified in		
	§1.97(e) STATEME	NT		
	I, the person signing below, state:			
	that each item of information contained in was first cited in the attached communicati counterpart foreign application and that the than three months prior to the filing of the	on from a foreign patent office in a e communication is dated not more		
	OR			
	that no item of information contained in the was cited in a communication from a foreig			

foreign application, and, to the knowledge of the person signing the certification

after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

		§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		OR FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
3.		The information disclosure statement transmitted herewith is being filed <i>after</i> the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).
		§1.97(e) STATEMENT
		I, the person signing below, state:
		that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
		OR
		that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		AND FEE
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4.	\boxtimes	If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5.	\boxtimes	A list of 8 reference(s) is in the enclosed Form PTO-1449.

NON-ENGLISH LANGUAGE REFERENCES

Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
The specification incorporates comments on the relevancy of Non-English language references.
Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

By:

Date: July 8, 2004

Biltmore Tower 500 South Grand Avenue, Suite 1900 Los Angeles, CA 90071

Telephone: (213) 337-6700 Facsimile: (213) 337-6701 Respectfully submitted,

HOGAN & HARTSON L.L.P.

Registration No. 44,228
Attorney for Applicant(s)

FORM PTO-1449 Doc					Docket Number (Optional) Application Number 10/789,932			
9NP	RMATION DISCLOSURE O	CITATION		Applicant YAMASHITA, et al.				
JUL 12	2004 Use several sheets if necessary	<i>(</i>)		Filing Date Group Art Unit			it 1746	
PADEM	APPK OTE !	J.S. PATE	NT D	OCUMENTS	}			
EXAMINER INITIAL	DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DA	
	3,984,303	10/05/76	PET	ERS, et al.				
	3,228,798	01/11/66	Abra	m HART				
	4,476,196	10/09/84	POE	PPEL, et al.				
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	FOI	REIGN PA	TENT	DOCUMEN	ITS			
	DOCUMENT NUMBER	DATE		COUNTRY	CLASS	SUBCLASS	Transla YES	ation NO
	0 285 727 (counterpart Japanese Application No. 2700390)	11/30/87		EPO			х	
	2700390 (counterpart EPO Patent No. 0 285 727)	10/03/97		JAPAN				х
	05-036417	02/12/93		JAPAN			Abstract	
**************************************	0 055 011	06/30/82		EPO			Abstract	
phy production of the second	0 055 016	06/30/82		EPO			Abstract	
	OTHER DOCUMENT	S (Including	Autho	r, Title, Date, Pe	rtinent Pages	, Etc.)		

FY	Δ	M	I٨	IF	P

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



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Facsimile: (213)

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Respectfully submitted, HOGAN & HARTSON L.L.P.

By:

Registration No. 44,228

Attorney for Applicant(s)

FORM PTO-1	449			nber (Optional) 707.0192	Application N	lumber /789,932		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant	Applicant YAMASHITA, et al.				
JUL 12	2001 (Use several sheets if necessary))	Filing Date Febru	ary 27, 2004	Group Art Un	it 1746		
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	OTHER DOCUMENT	rs (Including	Author, Title, Date	e, Pertinent Page	s, Etc.)			
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